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Notice of Allowability	Application No.	Applicant(s)	
	10/734,015	KEIGHTLEY, KYM JOHN	
	Examiner	Art Unit	
	Christopher Boswell	3676	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

- 1. ☒ This communication is responsive to 4/11/05.
- 2. ☒ The allowed claim(s) is/are 1,4-12 and 14-22.
- 3. ☒ The drawings filed on 10/10/03 are accepted by the Examiner.
- 4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 - 1. ☐ Certified copies of the priority documents have been received.
 - 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

- 5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 - 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
- 7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>6/23/05</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Clay Cunningham on June 23, 2005.

The application has been amended as follows:

In claim 1: replaced "a cavity" in line 11 to --an aperture--, as well as replaced "the cavity" in line 12 to --the aperture, and in line 14 replaced "said rack cavity" to --said rack aperture--.

In claim 6: replaced "a cut out" in line 8 to --an aperture--.

In claim 12: deleted "and" from line 8

In claim 12: inserted --wherein the rack defines a rack aperture; and wherein the rack surface bounds the rack aperture so that the first arm may pass into the rack aperture adjacent the rack surface upon rotation of the pinion gear; and -- between lines 8 and 9.

Cancel claim 13.

In claim 14: in line 1, replaced "claim 13" with --claim 12--, as well as replaced "the rack cavity" in line 2, with --the rack aperture--.

In claim 15: replaced "the rack cavity" in line 2, with --the rack aperture--.

In claim 16: in line 1, replaced "claim 13" with --claim 12--, as well as replaced "the rack cavity" in line 2, with --the rack aperture--.

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The following is an examiner's statement of reasons for allowance: The claims are allowable over the prior art of record because the teachings of the references taken as a whole do not teach or render obvious the combination set forth, including that of a lock bolt coupled to a rack, a drive means, which is a pinion gear, adapted to engage the rack and to move it to move in one axis, where the drive means has a deadlocking arrangement where the bolt is in the extended position, external movement of the bolt towards the retracted position causes the rack to abut the deadlocking arrangement without engaging the drive means, where the rack has an aperture to allow a first arm that extends from the drive means to pass into the aperture upon rotation of the drive means, the first arm effecting the deadlocking arrangement by abutting against a wall which defines a portion of the aperture

The closest prior art of record, U.S. Patent Number 5,642,909 to Swan et al., discloses a lock bolt coupled to a rack, and a pinion gear adapted to rotatably drive and cause the rack to move in one axis, where the pinion gear has a first and second arm to limit the rotation of the pinion gear and to prevent the lock bolt from extending in a given direction. However, Swan et al. does not disclose the rack having an aperture to allow the first arm to pass through upon rotation of the pinion gear.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to further show the state of the art with respect to gear actuated lock bolts:

U.S. Patent Number 5,172,944 to Munich et al., U.S. Patent Number 2,772,944 to Blake.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Boswell whose telephone number is (571) 272-7054. The examiner can normally be reached on 9:00 - 4:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on (571) 272-6843. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



BRIAN E. GLESSNER
PRIMARY EXAMINER

CJB *CB*
June 24, 2005